

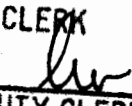
United States District Court for the District of Vermont  
11 Elmwood Avenue  
Burlington, VT 05401

April 27, 2016

Letter of Support for the Settlement and Notice of Intent to Appear at the Fairness Hearing  
*Allen v. Dairy Farmers of America, Inc.*, No. 5:09-CV-230-CR

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

2016 MAY -2 AM 11:25

CLERK  
BY  DEPUTY CLERK

To Whom It May Concern:

I am a 3<sup>rd</sup> generation farmer milking more than 1,200 cows in Clayton, NY located in Jefferson County. My grandfather started the farm in 1945 and we have consistently grown the farm through the years. I am currently a DMS independent producer and our farm has always shipped to independent markets through the years. Additionally, I serve as a Director on the Dairy One Board of Directors. I am aware that Dairy One, and its testing protocols, has come under scrutiny in this lawsuit. I've seen and discussed the court approved Notice on the settlement. I respectfully request from the court an appearance to speak at the Fairness Hearing on May 13, 2016 to address why I think this lawsuit should be settled from both a DMS independent farm perspective and from the perspective of a Dairy One Board member.

I am in favor of settling this lawsuit for a number of reasons. Most importantly, I think this lawsuit has made it more difficult for farmers to work together in our region. As a DMS independent, I see the benefits of marketing my milk through a larger network of farms. While I am passionately independent, I realize that a strong and stable market for my milk is extremely important and the sensitivities created by the lawsuit have made it difficult for cooperatives and independents to work together to improve returns for all farmers.

While I've never had a problem getting answers to my questions or feeling as though my concerns were heard by representatives of DFA and DMS, I do endorse the idea of an Advisory Council Member and a Farmer Ombudsman created by the settlement to proactively provide information to farms in the subclass on a regular basis. The information is already available to these farms today but the addition of these positions will no longer allow farms to allege lack of transparency or openness. The information will be available to them via an objective third party.

I also noted in the settlement that there will be additional avenues farms can use if they feel there are issues with their milk testing. Again, while I think there is no basis for the concern regarding the accuracy of test results, I feel that it is a good thing for farms to have the option to do split samples. As a Board member of Dairy One, I am fully aware of the very strict protocol and state oversight given to milk sampling and testing today. There simply is no room for any adulteration or manipulation of samples or sample results. I feel this portion of the settlement will address the concerns of what, in my experience, is the outspoken few who allege milk

testing is an issue and will take away their opportunity to find yet another fault in their Cooperative and testing facility. So, in short, I am in favor of this to silence the outspoken few even though I believe it is otherwise not needed due to the rigorous oversight today.

In closing, the costs and time associated with this lawsuit negatively impact all farms. I cannot stress the importance of settling now. Farms are growing increasingly impatient and most really did not have an ax to grind with DFA and DMS in the first place. They are simply taking part in a class action lawsuit as sideline participants. So, I respectfully ask that we do everything we possibly can to settle this lawsuit now.

Thank you.

Sincerely,

Lyle Wood  
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Clayton, NY 13624-9523  
315-783-3703

cc: Brent Johnson, Esq.  
Robert Abrams, Esq.  
Steven R. Kuney, Esq.